

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JEREMY GRABER,

Plaintiff,

v.

POLICE INSPECTOR

JOEL DALES, *et al.*,

Defendants.

CIVIL ACTION NO. 18-3168

ORDER

AND NOW, this 30th day of September 2019, upon consideration Defendant's Motion to Dismiss [Doc. No. 8] and the response and reply thereto, and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED** that the Motion is **GRANTED in part and DENIED in part**. The Motion is **GRANTED** as to all claims against Defendant Boresky in his official capacity, as well as the First Amendment and civil conspiracy claims against Defendant Boresky in his personal capacity. The Motion is **DENIED** as to the Fourth Amendment claim against Defendant Boresky in his personal capacity.

It is further **ORDERED** that Plaintiff may file an amended Complaint by **October 14, 2019**. If Plaintiff does not file an amended Complaint, Defendant shall answer the Complaint by **October 28, 2019**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFE, J.